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T-660 P.001/010 F-517

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TO: Commissioner for Patents
Attn: Examiner Ungar, Susan Nmn
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: John J. Gresens

OUR REF: 07885.0055USWO
TELEPHONE: 612.371.5265

Total pages, including cover letter: 10

PTO FAX NUMBER 1-703-872-9306

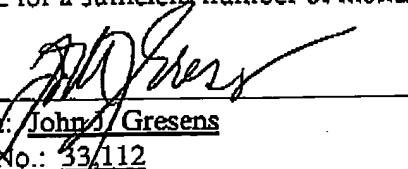
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Title of Document Transmitted:

COMMUNICATION REGARDING FORM
1449

Applicant: FODSTAD
Serial No.: 09/125,751
Filed: October 30, 1998
Group Art Unit: 1642
Our Ref. No.: 07885.0055USWO
Confirmation No. 8143

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By: 
Name: John J. Gresens
Reg. No.: 33,112

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Antonette Peters



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Date

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S/N 09/125,751

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SATO et al.	Examiner:	Ungar, Susan Nmn
Serial No.:	09/125,751	Group Art Unit:	1642
Filed:	October 30, 1998	Docket No.:	07885.0055USWO
Title:	METHOD OF KILLING TARGET CELLS IN HARVESTED CELL POPULATIONS WITH ONE OR MORE IMMUNOTOXINS		

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By: *Antonette Peters*
 Name: Antonette Peters

JAN 26 2005

COMMUNICATION REGARDING FORM 1449

Ungar, Susan Nmn
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Ms. Ungar:

Pertaining to the above-referenced patent application, Applicants respectfully assert that on October 20, 1998, October 30, 1998, December 3, 1998, October 12, 1999 and October 5, 2004, Information Disclosure Statements were filed with the United States Patent and Trademark Office. However, the Forms 1449 have not been returned to the undersigned as being considered by the Examiner. Pursuant to the provisions of M.P.E.P. 609, it is requested that the attached Form 1449, marked as being considered and initialed by the Examiner, be returned to the undersigned with an official communication.

Respectfully submitted,

MERCHANT & GOULD P.C.
 P.O. Box 2903
 Minneapolis, Minnesota 55402-0903
 (612) 332-5300

By

J.W. Gresens
 John J. Gresens
 Reg. No. 33,112

Dated: January 25, 2005

JJG/acp

Date Mailed: October 20, 1998

Sheet 1 of 1

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small>		Docket Number: 7885.55USWO	Application Number: 09/125,751
		Applicant: PODSTAD et al.	
		Filing Date: Int'l Filing Date March 12, 1997	Group Art Unit: Unknown

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,925,922	May 15, 1990	Byers et al.			

FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO
	EP 129 434	Sept. 6, 1989	EPO			
	EP 256 471	Feb. 24, 1988	EPO			
	WO 88/05309	July 28, 1988	PCT			
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	1989	Abstract of Accession no. 90658782 Cancerlit, "Fourth International Conference on Monoclonal Antibody Immunocomjugates for Cancer"; March 30 to April 1, 1989, San Diego, CA, UCSD Cancer Center.
	1992	Abstract of Crews J.R. et al.; <i>In: Journ. of cancer</i> ; July 9, 1992; Vol. 51, no. 2.
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EXAMINER	DATE CONSIDERED
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Date Mailed: October 30, 1998

Sheet 2 of 2

INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)		Docket Number: 7885.SSUSWO	Application Number: 09/125,751
		Applicant: FODSTAD et al.	
		Filing Date: Int'l Filing Date March 12, 1997	Group Art Unit: Unknown

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Sheet 1 of 2

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		Applicant: FODSTAD et al.	
		Filing Date: Int'l Filing Date March 12, 1997	Group Art Unit: Unknown

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,322,678	Jun. 21, 1994	Morgan, Jr. et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	1993	William P. Peters, et al.; "High-Dose Chemotherapy and Autologous Bone Marrow Support as Consolidation After Standard-Dose Adjuvant Therapy for High-Risk Primary Breast Cancer"; <i>Journal of Clinical Oncology</i> ; June 1993; Vol. 11, No. 6, pp.1132-1143.				
	1994	James O. Armitage, M.D.; "Bone Marrow Transplantation"; <i>New England Journal of Medicine</i> ; March 24, 1994; Vol. 330, No. 12, pp. 827-838.				
	1990	Thomas J. Moss, et al.; "Contamination of Peripheral Blood Stem Cell Harvests by Circulating Neuroblastoma Cells"; <i>Blood</i> ; 1990; Vol. 76, No. 9, pp. 1879-1883.				
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	1992	M.Y. Wang, et al.; "An effective immunomagnetic method for bone marrow purging in T cell malignancies"; <i>Bone Marrow Transplantation</i> ; 1992; pp. 319-323.				
	1994	Aime T. Myklebust, et al.; "Comparison of Two Antibody-based Methods for Elimination of Breast Cancer Cells from Human Bone Marrow"; <i>Cancer Research</i> ; 1994; pp. 209-214.				
	1993	Connie J. Eaves; "Peripheral Blood Stem Cells Reach New Heights"; <i>Blood</i> ; 1993; pp. 1957-1959.				
	1994	Elizabeth J. Shpall, et al.; "Transplantation of Enriched CD34-Positive Autologous Marrow Into Breast Cancer Patients Following High-Dose Chemotherapy: Influence of CD34-Positive Peripheral-Blood Progenitors and Growth Factors on Engraftment"; <i>Journal of Clinical Oncology</i> ; 1994; Vol. 12, No. 1, pp. 28-36.				

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T-660 P.006/010 F-517

Sheet 1 of 1

Date Mailed: December 3, 1998

INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)		Docket Number: 7885.55USWO	Application Number: 09/125,751
		Applicant: PODSTAD, et al.	
		Filing Date: Int'l Filing Date March 12, 1997	Group Art Unit: Unknown

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Date Mailed: October 12, 1999

Sheet 1 of 3

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small>		Docket Number: 7885.55USWO	Application Number: 09/125,731
		Applicant: FODSTAD, et al.	
		Filing Date: October 30, 1998	Group Art Unit: 1643

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,095,097	Mar. 10, 1992	Hermenin et al.			
	5,536,644	Jul. 16, 1996	Ullman et al.			
	5,374,531	Dec. 20, 1994	Jensen			
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	4,920,061	Apr. 24, 1990	Poynton et al.			
	4,510,244	Apr. 9, 1985	Parks et al.			
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	5,405,784	Apr. 11, 1995	Van Hoegaerden			
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	5,194,300	Mar. 16, 1993	Cheung			
	5,290,707	Mar. 1, 1994	Wood			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	016 552	Oct. 1, 1980	EPO				
	395 355	Oct. 31, 1990	EPO				

EXAMINER	DATE CONSIDERED
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Sheet 2 of 3

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small>		Docket Number: 7885.55USWO	Application Number: 09/125,751
		Applicant: PODSTAD, et al.	
		Filing Date: October 30, 1998	Group Art Unit: 1643

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES
	WO 90/07380	Jul. 12, 1990	PCT			
	WO 90/10692	Sep. 20, 1990	PCT			
	WO 91/15766	Oct. 17, 1991	PCT			
	95/24648	Sep. 14, 1995	PCT			
	WO A1 94/07139	Mar. 31, 1994	PCT			
	94/07138	Mar. 31, 1994	PCT			
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	339 769	Nov. 2, 1989	EPO			
	131 934	Jan. 23, 1985	EPO			
	WO 91/01368	Feb. 7, 1991	PCT			
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	WO 94/07142	Mar. 31, 1994	PCT			
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Sheet 3 of 3

ORM/1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small>		Docket Number: 7885.SSUSWO	Application Number: 99/125,751
		Applicant: FODSTAD, et al.	
		Filing Date: October 30, 1998	Group Art Unit: 1

OTHER DOCUMENTS (Including Author, Title/Brief, Pertinent Pages, Etc.)		
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EXAMINER

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*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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6123329081

T-660 P.010/010 F-517

Date Mailed: October 5, 2004

Sheet 1 of 2

FORM 1449* INFORMATION DISCLOSURE STATEMENT		Docket Number: 7885.55USWO	Application Number: 09/125,751
IN AN APPLICATION (Use several sheets if necessary)		Applicant: PODSTAD et al.	
		Filing Date: October 30, 1998	Group Art Unit: 1642

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
		"Making the most of mucin: a novel target for tumor immunotherapy", Barratt-Boyce SM, Cancer Immunol Immunother. 1996 Nov; 43(3): 142-51.				
		"The Epithelial Glycoprotein 2 (EGP-2) Promoter-driven Epithelial-specific Expression of EGP-2 in Transgenic Mice: A New Model to Study Carcinoma-directed Immunotherapy", McLaughlin et al., Cancer Research 61, 4105-4111, May 15, 2001.				
		"Selection and Characterization of Anti-MUC-1 scFvs Intended for Targeted Therapy", Winthrop et al., Clinical Cancer Research, Vol. 9, 3845s-3853s, September 1, 2003 (Suppl.).				
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		"Molecular Cloning and Characterization of a Human Adenocarcinoma/Epithelial Cell Surface Antigen Complementary DNA", Strnad et al., Cancer Research 49, 314-317, January 15, 1989.				
		Appendix 3-6, "Monoklonaler Antikörper BM7" and Appendix 3-7, "Monoklonaler Antikörper BM2", Brummend et al., Cancer Research, 1994, 54: 4162-4168				
		"Pharmacokinetics and Scintigraphy of Indium-111-DTPA-MOC-31 in Small-Cell Lung Carcinoma", Kosterink et al., The Journal of Nuclear Medicine- Vol. 36, No. 12, December 1995.				
		"Can therapeutic concentrations of the anti EGP2 immunotoxin conjugate MOC31-PE be achieved in patients with antigen positive carcinomas? A phase I study in patients with advanced mammary, lung, colorectal or prostate carcinoma", Aamdal et al., pp. 1-24.				

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